

SUMMARY OF PROPOSED COMMITTEE DRAFT:

**Resolution 17-248
GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT AND ZONING WAIVER
FOR THE SUNSET BEACH ELEMENTARY SCHOOL PORTABLE BUILDINGS,
ADMINISTRATION BUILDING, AND IMPROVEMENTS.**

THE PROPOSED CD1 makes the following amendments:

- A. In the first WHEREAS clause, clarifies the description of the Project.
- B. Adds a new second WHEREAS clause, detailing Resolution 07-72, which granted an SMA Use Permit to the Applicant for the relocation of two portable buildings and the construction of a new administration building, both of which were completed in 2008; but the Applicant failed to obtain development permits for the aforementioned developments, and the SMA Use Permit issued under Resolution 07-72 was therefore rendered null and void pursuant to Condition C thereof in 2010.
- C. In the second to the last WHEREAS clause, adds reference to HRS Sections 205A-2 and 205A-26.
- D. In the last WHEREAS clause, adds September 6, 2017 as the date the Council received the DPP's findings and recommendations via Departmental Communication 643 (2017).
- E. In Condition A, clarifies that the Project involves the relocation of two portable buildings, construction of an administration building, and subsequent improvements to the administrative building, and references Exhibits A, B, C-1 through C-3, and D.
- F. Attaches Exhibits A, B, C-1 through C-3, and D.
- G. Consistent with the DPP's report, adds a new Condition B relating to work stoppage and immediate contact of SHPD if previously unidentified archaeological sites or remains are encountered. Re-alphabetizes subsequent conditions.
- H. Makes miscellaneous technical and nonsubstantive amendments.



RESOLUTION

PROPOSED

GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT FOR THE SUNSET BEACH ELEMENTARY SCHOOL PORTABLE BUILDINGS, ADMINISTRATION BUILDING, AND IMPROVEMENTS.

WHEREAS, on July 7, 2017, the Department of Planning and Permitting ("DPP") accepted the application (DPP Reference Number 2017/SMA-23) of the State of Hawaii Department of Education (the "Applicant") for a Special Management Area ("SMA") Use Permit to ratify the relocation of two portable buildings and the construction of an administration building; and approve the installation of improvements to the administration building, including a new air conditioning system and fire alarm upgrades; on land zoned AG-2 General Agricultural District, located at 59-360 Kamehameha Highway in Haleiwa, Oahu, identified as Tax Map Key No. 5-9-005: 018 (the "Project"); and

WHEREAS, on April 11, 2007, the Council adopted Resolution 07-72, which granted an SMA Use Permit to the Applicant for the relocation of two portable buildings and the construction of a new administration building, both of which were completed in 2008; however, the Applicant failed to obtain development permits for the aforementioned developments, and the SMA Use Permit issued under Resolution 07-72 was therefore rendered null and void pursuant to Condition C thereof in 2010; and

WHEREAS, on August 7, 2017, the DPP held a public hearing, which was attended by two representatives of the Applicant, two representatives of the Applicant's agent, and three DPP staff members; no members of the public were present, and no testimony was received at the hearing; and

WHEREAS, on September 1, 2017, within 20 working days after the close of the public hearing, the DPP, having duly considered all evidence and the objectives, policies, and guidelines as established in Sections 25-3.1 and 25-3.2, Revised Ordinances of Honolulu 1990 ("ROH"), and Sections 205A-2 and 205A-26, Hawaii Revised Statutes ("HRS"), completed its report and transmitted its findings and recommendation of approval to the Council; and

WHEREAS, the City Council, having received the findings and recommendation of the DPP on September 6, 2017 by Departmental Communication 643 (2017), and having duly considered all of the findings and reports on the matter, desires to approve the subject application for an SMA Use Permit with the conditions enumerated below; now, therefore,



CITY COUNCIL

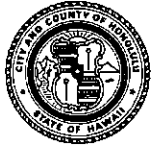
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. 17-248, CD1

RESOLUTION

BE IT RESOLVED by the Council of the City and County of Honolulu that an SMA Use Permit be issued to the Applicant for the Project, subject to the following conditions:

- A. Relocation of two portable buildings, construction of an administration building, and subsequent improvements to the administration building must be in general conformity with the Project as described in the DPP's findings and recommendations, referenced above, and as depicted in Exhibits A, B, C-1 through C-3, and D, attached hereto and incorporated by reference herein. Any change in the size or nature of the Project that has a significant effect on coastal resources addressed in ROH Chapter 25 or HRS Chapter 205A, or both, will require a new application and SMA Use Permit. Any change that does not have a significant effect on coastal resources will be considered a minor modification and therefore permitted under this resolution upon review and approval by the DPP Director.
- B. If, during construction, any previously unidentified archaeological sites or remains (such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, pavings, or walls) are encountered, the Applicant shall stop work and contact the Department of Land and Natural Resources State Historic Preservation Division ("SHPD") immediately. Work in the immediate area must be stopped until SHPD is able to assess the impact and make further recommendations for mitigative activity.
- C. Artificial light from exterior light fixtures, including, but not necessarily limited to floodlights, uplights, or spotlights used for decorative or aesthetic purposes is prohibited if the light directly illuminates or is directed to project across property boundaries toward the shoreline and ocean waters, except as may otherwise be permitted pursuant to HRS Section 205A-71(b).
- D. Approval of this SMA Use Permit does not constitute compliance with Land Use Ordinance ("LUO") or other governmental requirements, including, but not limited to, building, grading, and grubbing permit approvals. They are subject to separate review and approval. The Applicant shall be responsible for ensuring that the final plans for the Project approved under this SMA Use Permit comply with all applicable LUO and other governmental provisions and requirements.



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. 17-248, CD1

RESOLUTION

BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to Christine Mendes Ruotola, G70 International, Inc., 925 Bethel Street, 5th floor, Honolulu, Hawaii 96816; Duane Y. Kashiwai, Public Works Administrator, State of Hawaii Department of Education, 3633 Waialae Avenue, Honolulu, Hawaii 96816; and Kathy K. Sokugawa, Acting Director, City and County of Honolulu, Department of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, Hawaii 96813.

INTRODUCED BY:

Ron Menor (br)

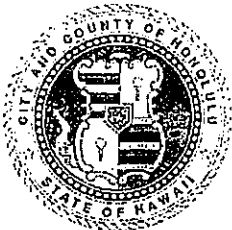
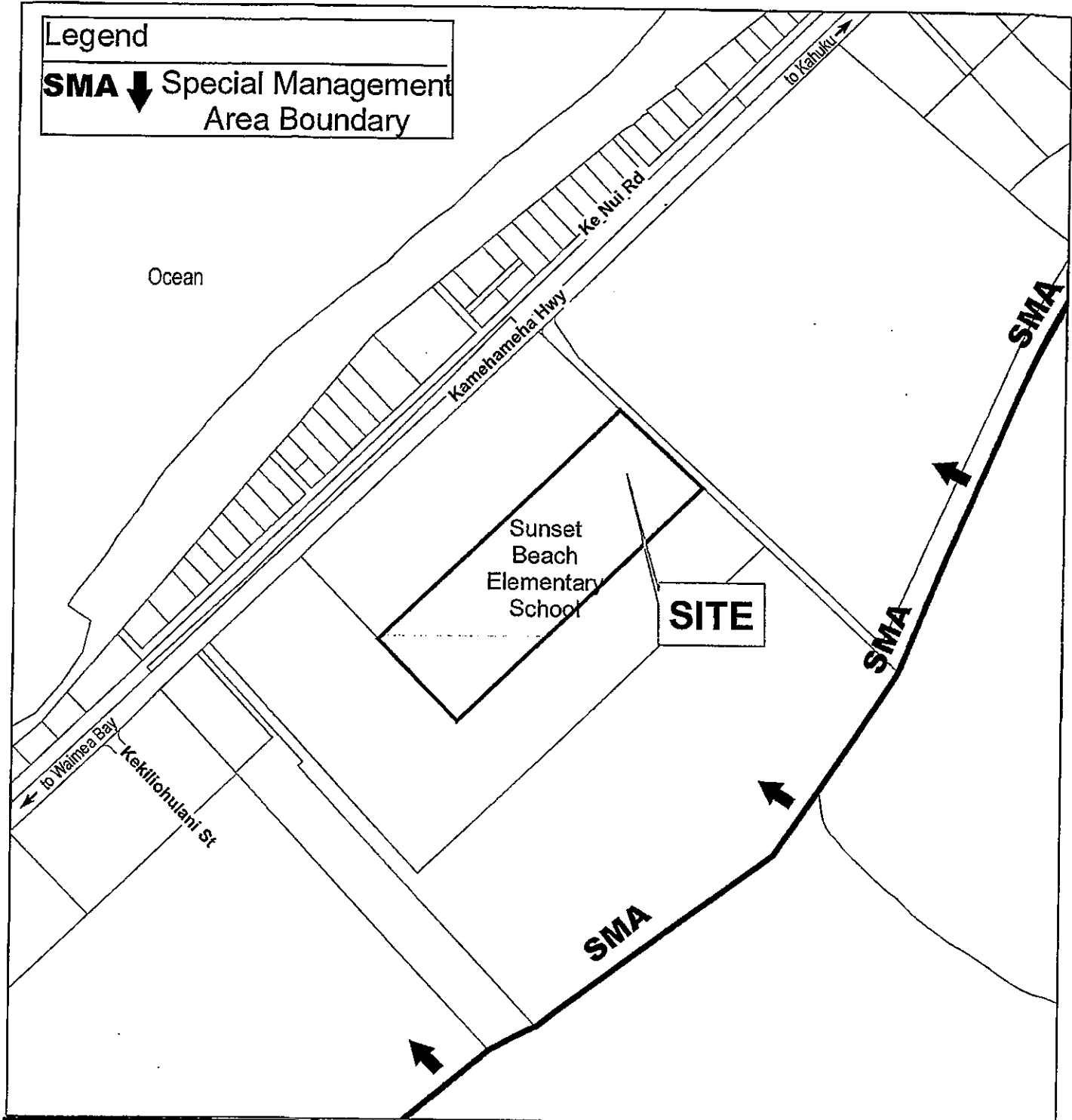
DATE OF INTRODUCTION:

September 7, 2017
Honolulu, Hawaii

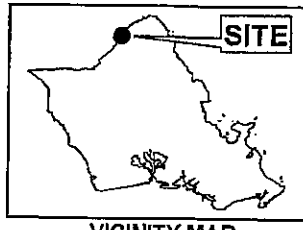
Councilmembers

Legend

SMA ↓ Special Management
Area Boundary



400 200 0 400
Scale in feet



VICINITY MAP

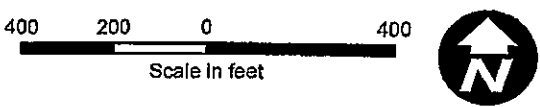
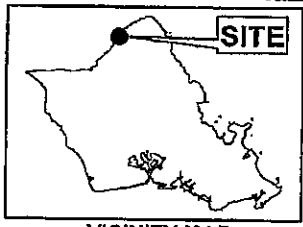
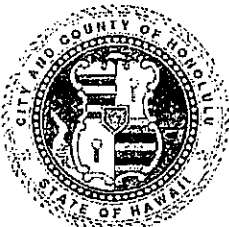
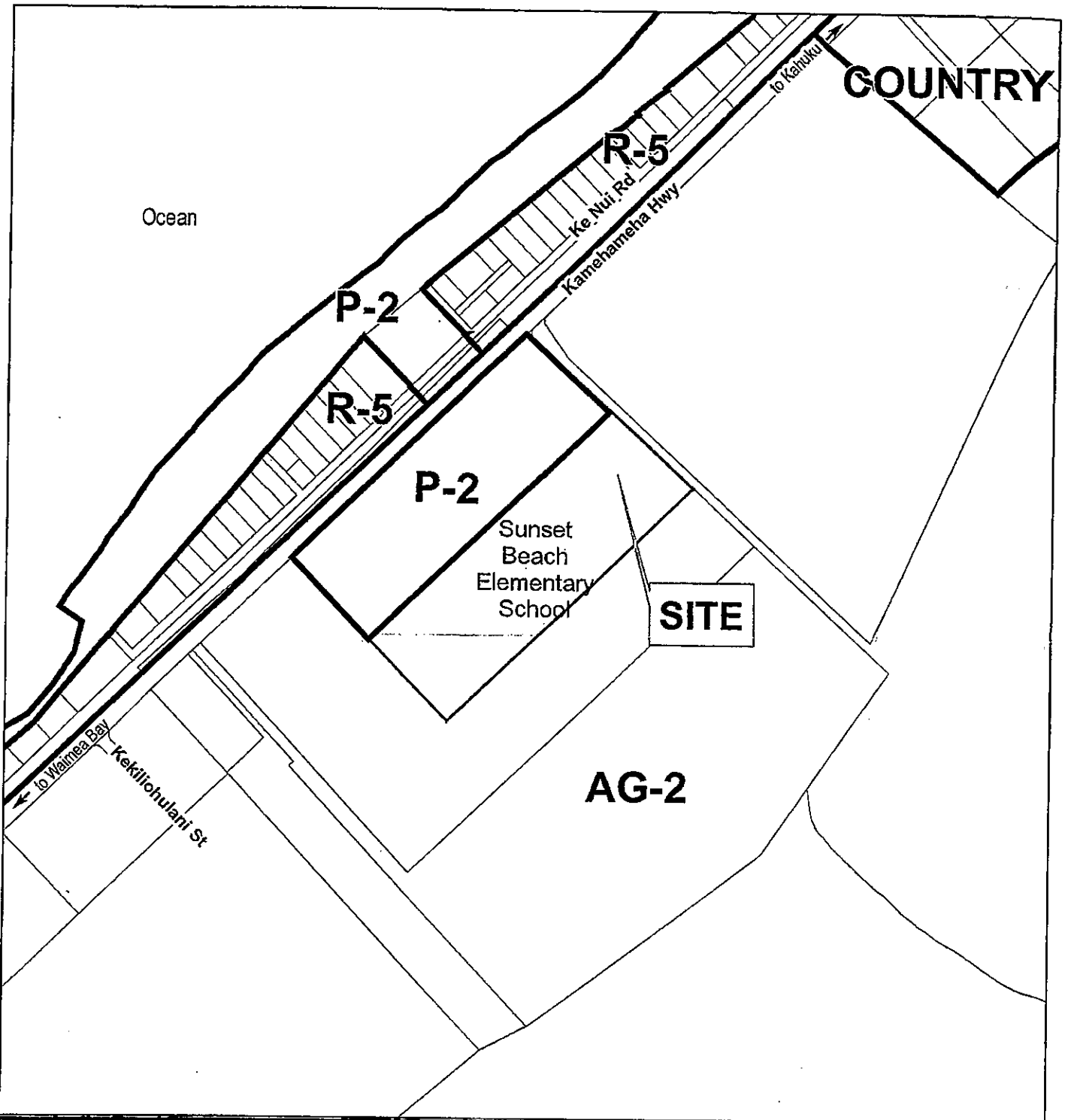


LOCATION MAP SUNSET BEACH

TAX MAP KEY(S): 5-9-005:018

FOLDER NO.: 2017/SMA-23

EXHIBIT A



PORTION OF
EXISTING ZONING MAP
(KAWAIOLOA-WAIALEE)

TAX MAP KEY(S): 5-9-005:018

FOLDER NO.: 2017/SMA-23

EXHIBIT B

SUNSET BEACH ELEMENTARY SCHOOL ADMINISTRATION BUILDING
Special Management Area Use Permit Application

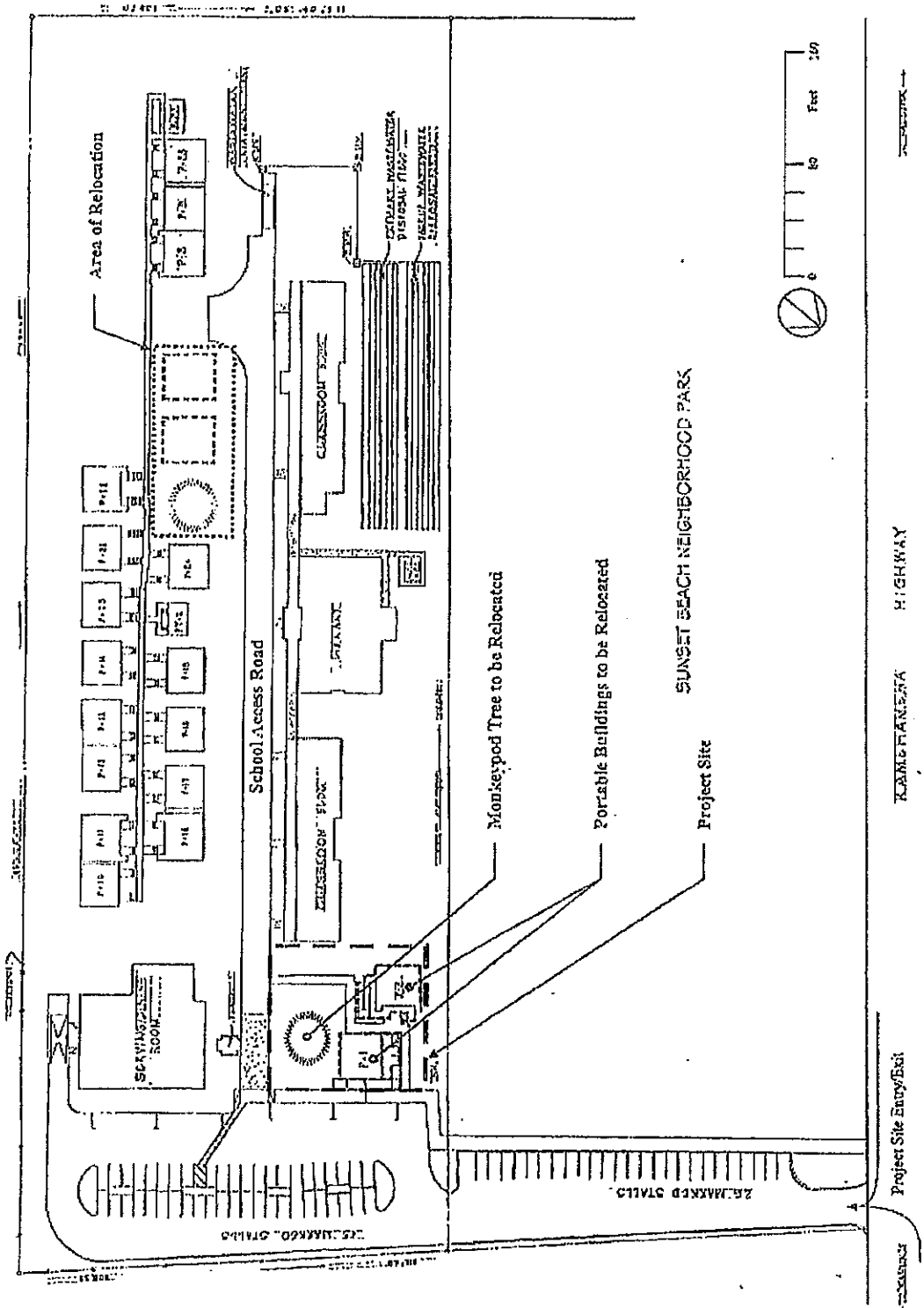


Figure 3.1 – Site Plan

SUNSET BEACH ELEMENTARY SCHOOL ADMINISTRATION BUILDING
Special Management Area Use Permit Application

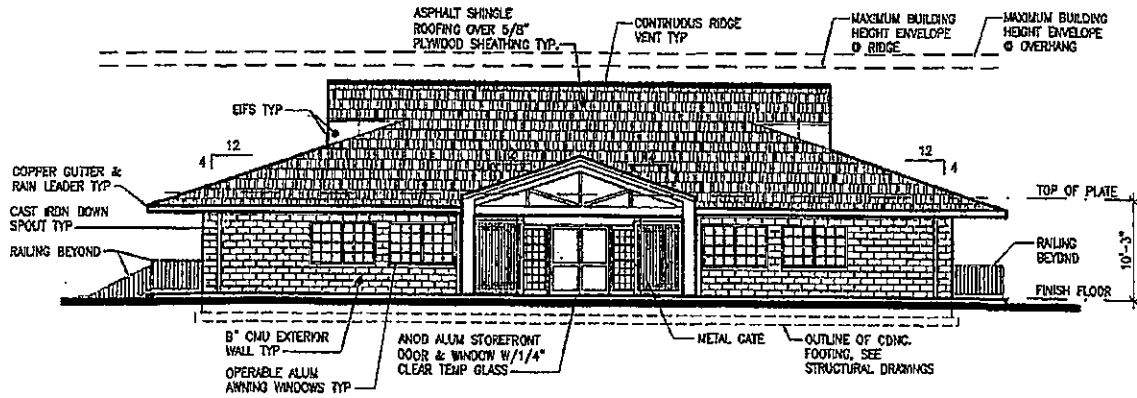


Figure 3.2 - Administration Building Elevation

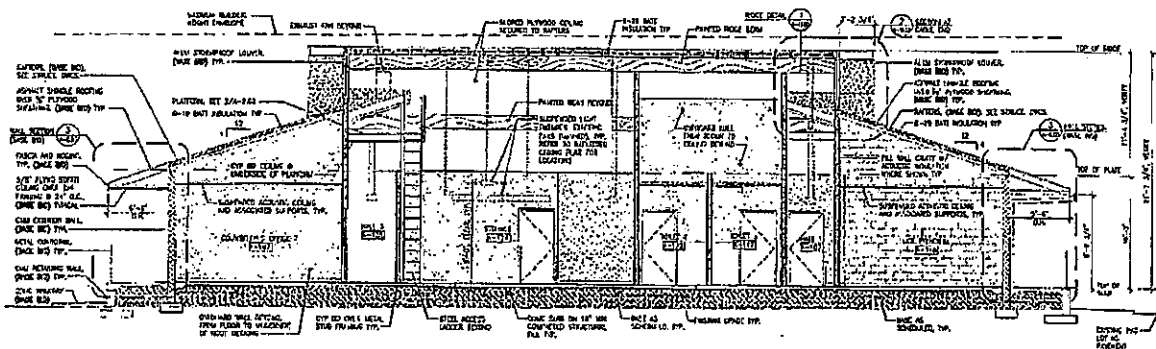


Figure 3.3 - Administration Building Section

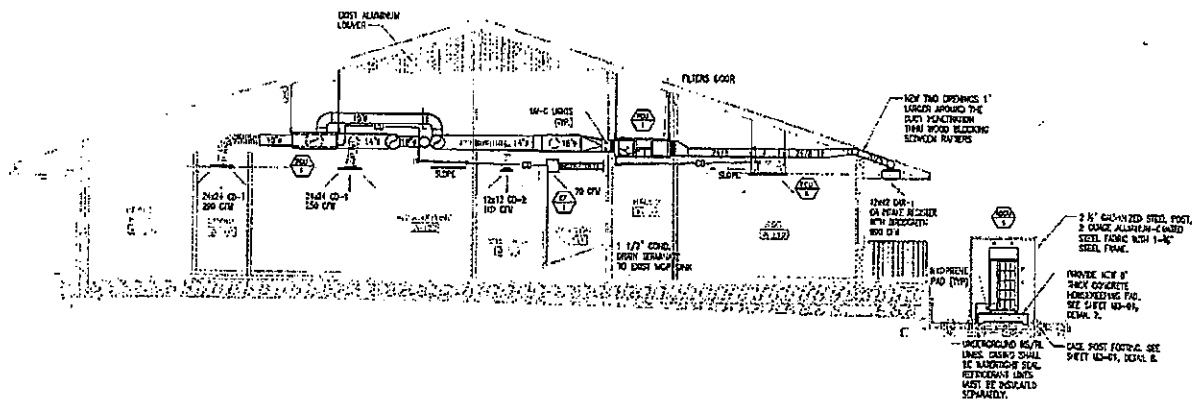


Figure 3.4 - Administration Building Mechanical Section

SUNSET BEACH ELEMENTARY SCHOOL ADMINISTRATION BUILDING
Special Management Area Use Permit Application

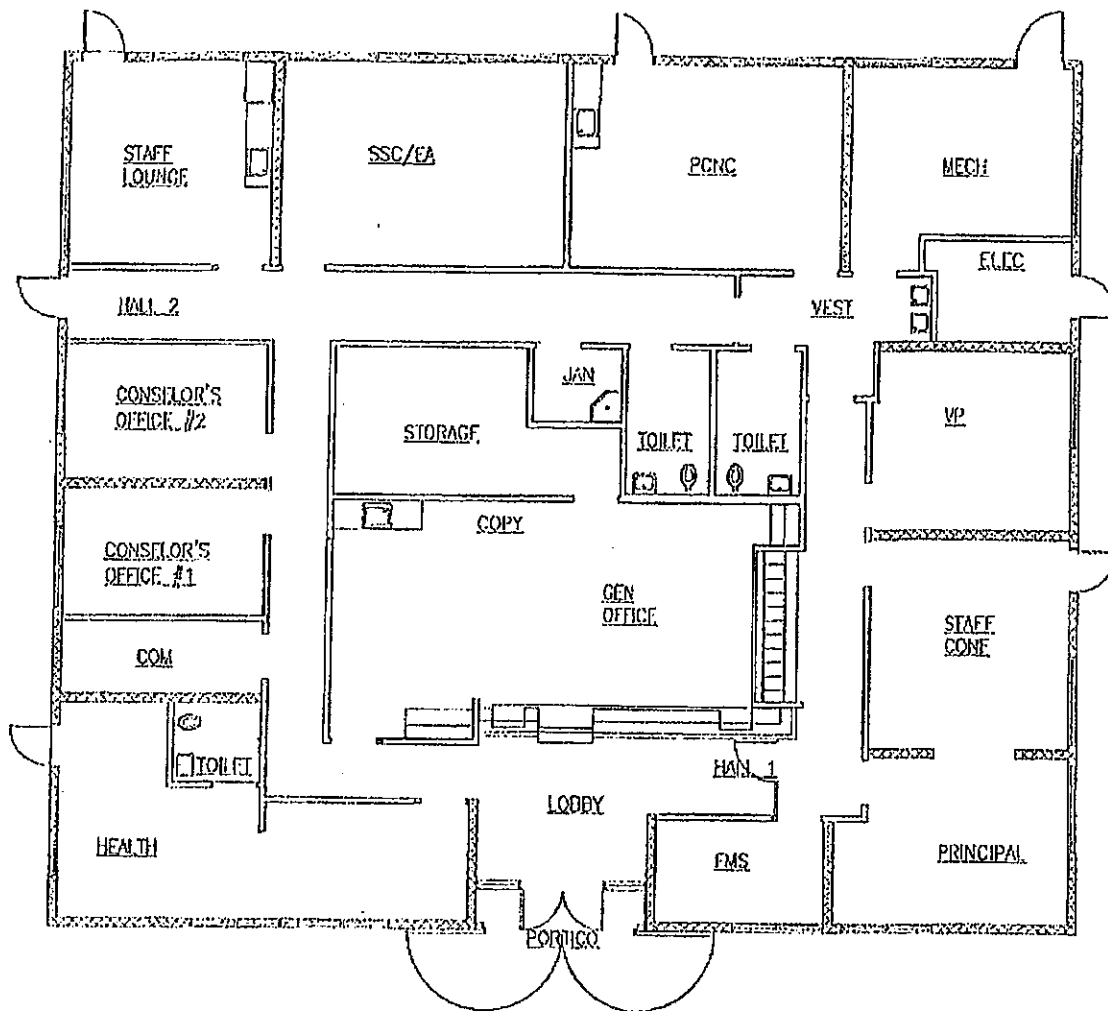


Figure 3.5 – Floor Plan

0020F
9/30/2004

Ocean

VE
17'

AE
17'

Ke Nui Rd
Kamehameha Hwy

Sunset
Beach
Elementary
School

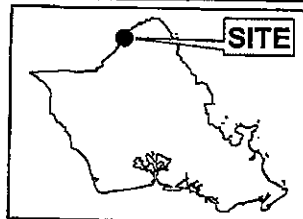
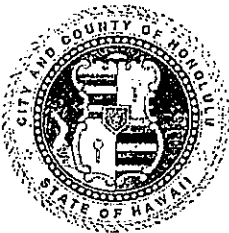
SITE

X

D

Legend

AE - base flood elevation determined, 1% chance flood
D - undetermined but possible
VE - coastal wave action base flood elevation determined
X - outside 0.2% annual chance flood plain
17' - base flood elevation



VICINITY MAP

400 200 0 400
Scale in feet



FLOOD HAZARD MAP SUNSET BEACH

TAX MAP KEY(S): 5-9-005:018

FOLDER NO.: 2017/SMA-23

EXHIBIT D